

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

ARTHUR WILDE, #38047

PETITIONER

VS.

CIVIL ACTION NO. 3:16CV408TSL-MTP

MISS. PAROLE BD. MEMBERS, ET AL.

RESPONDENTS

ORDER

This cause is before the objections of petitioner Arthur Wilde to the report and recommendation entered by Magistrate Judge Michael T. Parker on October 14, 2016, recommending that the respondents' motion to dismiss should be granted and Wilde's petition should be dismissed. Having reviewed the objections, the court concludes that they should be overruled and that the report and recommendation should be adopted with the following modifications. To the extent that Wilde is challenging his parole eligibility (grounds 1, 2, 3, 4, 5, 8, 9 and 10), he has failed to state a claim on which relief may be granted.<sup>1</sup> Further, as regards the grounds for relief premised on the Equal Protection Clause (grounds 6, 7, 11 and 12), Wilde is barred by the statute of limitations.

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<sup>1</sup> By his objections, Wilde maintains that grounds 1 through 3 did not accrue until 2014 when the state legislature amended the pertinent statutes. Regardless of when the statutes were amended, Wilde fails to state a claim on which relief may be granted. He further does not appear to challenge the magistrate judge's conclusion that the remainder of the petition is barred by the statute of limitations.

IT IS, THEREFORE, ORDERED that the report and recommendation of United States Magistrate Judge Michael T. Parker entered on October 14, 2016, be, and the same is hereby adopted as the finding of this court subject to the foregoing modification. Accordingly, it is ordered that respondent's motion to dismiss is granted and the petition for writ of habeas corpus is hereby dismissed with prejudice.

Petitioner has failed to demonstrate that "jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right" and that "jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." Slack v. McDaniel, 529 U.S. 473, 484, 120 S. Ct. 1595, 146 L. Ed. 2d 542 (2000).

A separate judgment will be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 31st day of October, 2016.

/s/ Tom S. Lee

UNITED STATES DISTRICT JUDGE